

Remarks

The following is in response to the office action dated September 29, 2011.

To expedite the prosecution of this case, per the above amendment, independent claims 29 and 46 each have been amended to recite that the hub includes a wall that extends orthogonally from the main body substantially at the junction where the proximal and the distal portions of the hub meet, and that the wall provides a stop for the proximal end of the collar, when the collar is mounted to the hub. Claim 38 also recites the wall extending orthogonally from the main body of the hub at the junction where the proximal and distal portions of the needle hub meet. Moreover, claim 38 defines the ring of the hub to be an integral part of the hub and connected to the wall, and that the ring is in the form of a circumferential sidewall that surrounds, but in spaced relationship with, the luer connector of the hub. Other limitations not found in any of the cited prior art references are also present in the independent claims.

The examiner has relied upon main references Crawford US 2002/0161336 and Burns US 5,445,619 for rejecting all of the claims, and has further combined those two references with secondary references.

Crawford discloses a needle shield assembly that has a hub 60 and a collar 70 that is fixedly bonded thereto [see paragraph 0064]. See also first sentence in paragraph 0024 and paragraph 0026 in which Crawford discloses that the collar does not rotate around the hub. As disclosed in paragraph 0027, the collar and the hub may in fact be a unitary one-piece structure. The reason that Crawford requires that the collar and hub be fixed to each other is to ensure that the bevel tip of the needle can be viewed by the user, i.e., not be blocked by the hinged shield 140, so that the needle may be more readily inserted into the patient [see 0028].

Burns, on the other hand, discloses a hub 20 to which a mounting 50 may be mounted to its groove 30. The cover 76 is fitted to needle hub 20 by means of pressure fitting to the distal end 24.

Crawford and Burns therefore each fail to disclose the respective structures of the hub and collar as set forth in the amended claims, for at minimum neither one of those references discloses any wall that extends orthogonally from the hub and acts as a stop for the proximal end of the collar, when the collar is mounted to the hub. It is therefore submitted that the rejection of the claims under those references is without merit.

Johnson US 2002/0010433 has been cited by the examiner to teach a ring. However, with respect to claim 38, there is no disclosure in Johnson that housing 42 is a ring that is connected to a wall that extends orthogonally from the main body of the hub, and that a window is provided along the sidewalls of the ring to enable the viewing of the luer connector of the hub.

The examiner asserts that Pressly US 7,014,622 teaches a window as a transparent ring, specifically relying on Fig. 10 and column 7, lines 35-43 thereof. Yet a more careful review of Fig. 10 and the disclosure relied upon by the examiner shows that Fig. 10 is but an isolated sectional view of the needle assembly and that Pressly only teaches that the needle assembly is transparent. Because something is transparent does not mean that it is an opening or a window. Thus, it is submitted that the combination of Crawford, Burns, Johnson and Pressly for rejecting claim 38, and the claims dependent therefrom, is without merit.

In view of the foregoing, the examiner is respectfully requested to reconsider the application.

Respectfully submitted,

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